

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BLUEAIR, INC.,)	
A Delaware Corporation,)	
)	Case No. 08 C 427
Plaintiff,)	
)	Hon. Milton I. Shadur
v.)	Presiding Judge
)	
APPLE, INC.)	
A California Corporation,)	
)	
Defendant.)	

**MOTION OF BLUEAIR INC.
TO EXTEND TIME FOR DEFENDANT TO ANSWER OR OTHERWISE PLEAD**

Plaintiff, BlueAir, Inc. ("*BlueAir*"), by and through its attorneys, Chapman and Cutler LLP, respectfully moves this Court to grant Defendant, Apple, Inc., an extension of time to file its answer or otherwise respond to the Complaint in the above-captioned proceeding. In support of this Motion, BlueAir states as follows:

1. BlueAir filed the above-captioned action against Apple, Inc. on January 18, 2008.
2. Apple, Inc. was served on January 23, 2008, and its response to the Complaint is currently due on or before February 12, 2008.
3. Apple, Inc. has requested an additional fourteen (14) days in which to answer or otherwise plead to the Complaint.
4. Counsel for BlueAir has agreed to an extension of fourteen (14) days, up to and including February 26, 2008, for Apple, Inc. to answer or otherwise respond to the Complaint.
5. This is the first request for an extension of time, and no party will be prejudiced by the granting of this Motion.

WHEREFORE, BlueAir, Inc. respectfully requests that the Court enter an order granting Apple, Inc. an extension of fourteen (14) days, up to and including February 26, 2008, to answer or otherwise respond to BlueAir's Complaint.

Dated: February 6, 2008

Respectfully submitted,

BLUEAIR, INC.,

By /s/ Jil L. Martin
One of Its Attorneys

John R. Crossan
Jil L. Martin
CHAPMAN AND CUTLER LLP
111 West Monroe Street
Chicago, Illinois 60603
(312) 845-3000

CERTIFICATE OF SERVICE

I, Jil L. Martin, an attorney, certify that I caused a true and correct copy of the foregoing **MOTION OF BLUEAIR INC. TO EXTEND TIME FOR DEFENDANT TO ANSWER OR OTHERWISE PLEAD**, to be served upon outside counsel for Defendant, Apple, Inc. as follows:

Margaret C. McHugh
Timothy R. Cahn
Townsend & Townsend & Crew
2 Embarcadero Center
8th Floor
San Francisco, California 94111-3834

via electronic mail and by depositing same in the United States mail, postage prepaid, at 111 West Monroe Street, Chicago, Illinois 60603 on February 6, 2008 before the hour of 5:00 p.m.

By _____ /s/ Jil L. Martin _____